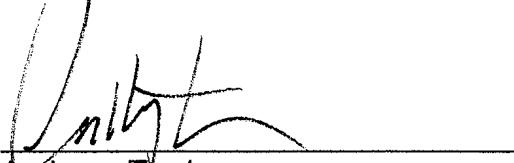


UNITED STATES DISTRICT COURT
DISTRICT OF MASSACHUSETTS

LAURA ALLEN, INDIVIDUALLY AND AS)
ADMINISTRATRIX OF THE ESTATE OF)
DAN ALLEN, AND AS NEXT FRIEND)
TAYLOR ALLEN AND DANIELLE ALLEN;)
AND MARK ALLEN)
Plaintiffs,)
) CIVIL ACTION NO. 05-40048-FDS
v.)
)
MARTIN SURFACING, INC.; MARTIN)
SURFACING A DIVISION OF SOUTHWEST)
RECREATION; RONALD RYBA;)
SOUTHWEST RECREATIONAL)
INDUSTRIES, INC., d/b/a MARTIN)
SURFACING; REED J. SEATON; ROBERT)
N. WOLESENSKY, JR.; DYNAMIC)
SPORTS CONSTRUCTION, INC.; AND)
DOES)
Defendants.)

STIPULATION OF DISMISSAL

Pursuant to Rule 41(a)(1)(ii) of the Federal Rules of Civil Procedure, the parties hereby Stipulate that the Plaintiffs' claims herein against Defendants, Robert M. Wolessensky, Jr. (incorrectly identified as "Robert N. Wolessensky") and Dynamic Sports Construction, Inc., are DISMISSED, with prejudice to future action.

STIPULATED:

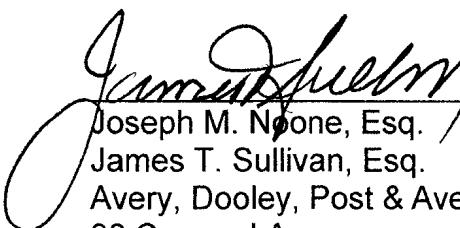
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CLERK'S CERTIFICATE OF SERVICE

This is to certify that a true and correct copy of the foregoing Stipulation of Dismissal was served, by U.S. Mail, this the 27~~th~~ day of April 2006, upon the following:

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District of Massachusetts